

### Remarks

Claims 16, 22, 24 and 28 have been amended. Claim 18 has been canceled.

The Examiner has rejected applicant's claims 16-18, 22, 24, and 26-31 under 35 U.S.C. § 103(a) as being unpatentable over the Aikens, et al. patent (U.S. Patent No. 6,216,113). With respect to applicant's claims, as amended, this rejection is respectfully traversed.

More particularly, applicant's independent claims 16, 22 and 24 have been amended to better define applicant's invention. Specifically, amended claim 16 recites a client terminal in which a software including a plurality of functions is installed and which is capable of communicating with a server apparatus, the terminal comprising: a setting unit, which sets for each the plurality of functions an enabled-state flag indicating that the function is usable or a disabled-state flag indicating that the function is unusable, wherein the function with the enabled-state flag is to be subjected to charging; a payment unit, which executes, every first predetermined period, payment processing of a predetermined price of the function with the enabled-state flag set by said setting unit; a time count unit, which counts a period in which the function with the enabled-state flag remains unused; a prohibition request unit, which automatically requests the server apparatus to prohibit use of the function which remains unused if the period counted by said time count unit exceeds a second predetermined period; a changing unit, which changes the enabled-state flag of the function which remains unused to the disabled-state flag in response to a response from the server apparatus to the request by said prohibition request unit; an icon display unit, which displays icons respectively corresponding to the plurality of functions such that each icon distinguishably shows whether the corresponding function is usable or unusable, in accordance with the enabled-state flag or the disabled-state flag set by said setting unit; and a permission request unit, which, in

response to a user instruction, requests the server apparatus to permit use of the function with the flag changed from the enabled-state flag to the disabled-state flag by said changing unit, wherein, if said changing unit changes the enabled-state flag of the function which remains unused to the disabled-state flag, said icon display unit changes a display status of the icon for that function, and wherein said changing unit changes the disabled-state flag of the function which remains unused to the enabled-state flag in response to a response from the server apparatus to the request by said permission request unit, and said payment unit executes the payment processing of the predetermined price of that function. Claims 22 and 24 have been similarly amended.

As set forth above, in applicant's invention of amended claim 16 a client terminal communicates with a server apparatus and comprises a setting unit, a payment unit, a time count unit, a prohibition unit, a changing unit, an icon display unit, and a permission request unit. The setting unit sets, for each a plurality of functions, an enabled-state flag indicating that the function is usable or a disabled-state flag indicating that the function is unusable, wherein the function with the enabled-state flag is to be subjected to charging. The payment unit executes, every first predetermined period, payment processing of a predetermined price of the function with the enabled-state flag. The time count unit counts a period in which the function with the enabled-state flag remains unused. The prohibition request unit automatically requests the server apparatus to prohibit use of the function which remains unused if the period counted by the time count unit exceeds a second predetermined period. The changing unit changes the enabled-state flag of the function which remains unused to the disabled-state flag in response to a response from the server apparatus to the request by the prohibition request unit.

The icon display unit (Fig. 3) displays icons respectively corresponding to the plurality of functions such that each icon distinguishably shows whether the corresponding function is usable or unusable, in accordance with the enabled-state flag or the disabled-state flag set by the setting unit. The permission request unit (Fig. 8, S41, specification page 13, lines 2-4) requests, in response to a user instruction, the server apparatus to permit use of the function with the flag changed from the enabled-state flag to the disabled-state flag. If the changing unit changes the enabled-state flag of the function which remains unused to the disabled-state flag, the icon display unit changes a display status of the icon for the function (specification page 15, lines 3-5). The changing unit changes the disabled-state flag of the function which remains unused to the enabled-state flag in response to a response from the server apparatus to the request by the permission request unit, and the payment unit executes the payment processing of the predetermined price of that function.

One very important feature of the present invention is in the changing unit, which (a) changes the enabled-state flag of a function which remains unused for a certain period to the disabled-state flag in response to a response from the server apparatus to the prohibition request, and (b) changes the disabled-state flag of the function which remains unused to the enabled-state flag in response to a response from the server apparatus to the permission request, and the payment unit executes the payment processing of the predetermined price of that function.

Another very important feature of the invention is in the icon display unit, which displays icons respectively corresponding to the plurality of functions such that each icon distinguishably shows whether the corresponding function is usable or unusable, in accordance with the enabled-state flag or the disabled-state flag set by the setting unit. If the

changing unit changes the enabled-state flag of the function which remains unused to the disabled-state flag, the icon display unit changes the display status of the icon for the function.

The constructions recited in applicant's amended independent claims are not taught or suggested by the cited Aikens, et al. patent. The Aikens, et al. patent discloses a system in which accounting data, stored in a memory 118 of a printing device, is transmitted periodically to an accounting manager via a network. The patent further discloses that usage of a print function which results in an invalid access or a violation of a restriction, such as too much usage, is denied. In the system of the Aikens, et al. patent, if the number of printed sheets for a certain user has reached the upper limit, subsequent job requests by the user are denied. This is due to the charging system of Aikens, et al. patent where printing for each user is limited to an upper limit.

Applicant's again submit that the Aikens, et al. patent does not disclose a system in which users are subjected to payment processing of a predetermined price every predetermined period for use of a desired function. In the Aikens, et al. patent, payment processing is executed based on the use amount, e.g., the number of printed sheets. Accordingly, payment processing at a predetermined price for use of a function is not carried out for the function, if the function is not used for some period. Thus, the system of the Aikens, et al. patent has no need to and does not take into consideration the problem solved by the present invention, i.e., payment processing at a predetermined price every predetermined period for a function that is not being used. Additionally, the fact that Aikens, et al. patent uses an Account billing period, as pointed out by the Examiner, simply means that the charges for printed sheets are accounted for periodically, not that there is periodic processing at a

predetermined price for use of the desired (printing) function regardless of whether or not the function is used, i.e., sheets are or are not printed.

Moreover, the Examiner has stated that “Aikens does disclose the use of billing counters (C5, measuring usage limits :Fig. 5, total usage) and the periodic accumulation of billing information.” However, this disclosure in the Aikens, et al. patent is not a teaching or suggestion of the count unit, prohibition request unit and changing unit in applicant’s claimed system. Nonetheless, the Examiner’s has argued that it would be “obvious . . . to cancel the account (equivalent to disabling the function) or stop replenishing funds in the account (equivalent to stopping charges) if the billing count information (use of functions) was null upon billing information transfer (count of 1 period between last data transfer).”

Applicant again submits that in the Aikens, et al. patent the user is only charged for sheets printed and not charged periodically for use of the printing function, regardless of whether or not any sheets have been printed. Accordingly, there would be no reason to provide in the system of the Aikens, et al patent a time count unit, which counts a period in which the function with the enabled-state flag remains unused, nor a prohibition request unit, which automatically requests the server apparatus to prohibit use of the function which remains unused if the period counted by said time count unit exceeds a second predetermined period, nor a changing unit, which changes the enabled-state flag of the function which remains unused to the disabled-state flag in response to a response from the server apparatus to the request by said prohibition request unit. Providing such units would be wasteful and unnecessary and would not be the direction followed by the skilled artisan in modifying the system of the Aikens, et al. patent.

Additionally, the Aikens, et al. patent is completely silent as to a permission request unit, which, in response to a user instruction, requests the server apparatus to permit use of the function with the flag changed from the enabled-state flag to the disabled-state flag by said changing unit and as to wherein said changing unit changes the disabled-state flag of the function which remains unused to the enabled-state flag in response to a response from the server apparatus to the request by said permission request unit. There is simply no such permission request unit disclosed in the Aikens, et al. patent

Also, the patent fails to teach or suggest an icon display unit, which displays icons respectively corresponding to the plurality of functions such that each icon distinguishably shows whether the corresponding function is usable or unusable, in accordance with the enabled-state flag or the disabled-state flag set by said setting unit, nor does it teach or suggest wherein, if said changing unit changes the enabled-state flag of the function which remains unused to the disabled-state flag, said icon display unit changes a display status of the icon for that function. The description at Col. 2, lines 51-65 and FIG. 2 of the Aikens, et al. patent, only mentions icons and windows generally and there is no mention of icons showing that a function is in an enabled state or a disabled state, nor can there be, therefore, any teaching of changing the status of such icons.

For all the above reasons, applicant's claims 16, 22 and 24, as amended, and their respective dependent claims, patentably distinguish over the Aikens, et al. patent.

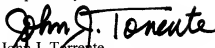
In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is

respectfully requested.

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